

directed to the versioning of *standard computer programs*, and not the versioning of items in a database. The considerable differences of database operation make the versioning of the database items distinct from the versioning of standard computer programs.

As noted in the Background of the Invention section of the present application, a database item is similar to a standard computer program with one important difference: “while standard computer programs are usually stored as one or more files on a storage such as a hard disk drive, a stored procedure is not stored as a separate file or files, but rather as text and binary streams *within the database itself.*” (*Specification* – page 2, lines 2-8) (emphasis added). A source code control system that is designed for database items requires exercising version control over the items, while permitting the database to conduct normal database operations (e.g., processing database queries). The versioning of standard computer programs, as described in Schmidt, does not require the same considerations. As a result, the system necessary to provide versioning of database items is very different from that required to provide versioning of standard computer programs, as will now be discussed.

The present invention, as recited in claim 1, comprises *inter alia* a database that stores an item, a source code control (SCC) system that stores a version of the item, a first program that manipulates the item, and a second program that checks in and checks out the item. One example embodiment of this recitation is described with reference to Figure 2.

As shown in Figure 2, mechanism 204 is responsible for checking in and checking out a stored procedure. For example, when editor 206 wishes to modify a stored procedure, mechanism 204 retrieves stored procedure 208 in database 200 and stored procedure 214 in SCC system 202. If stored procedure 208 and stored procedure 214 are different, the user may select which version of the stored procedure should be modified. Once modified by editor 206, the

stored procedure is saved to database 200 and in SCC system 202. In other words, mechanism 204 stores the updated stored procedure in both SCC system 202 and in database 200.

Neither House nor Schmidt, alone or in combination, provide a mechanism that stores an updated version both in an SCC system and in a database. Instead, Schmidt merely suggests a SCC system where the modification of the standard computer program, as well as the normal access to the standard computer program are located within a single storage location (*Schmidt* – column 4, lines 3-22). This is because Schmidt uses its SCC system both to run the standard computer programs and to modify the standard computer programs. The Office Action acknowledges this deficiency in Schmidt, but alleges that House recites a database that has the item (column 3, lines 44-50), as contemplated by the present invention. Although House and Schmidt both mention the word “database” in various contexts, neither describes the notion of a source code control system for database items that exercises version control over the items, while permitting the database to conduct normal database operations. Furthermore, combining House with Schmidt simply suggests replacing Schmidt’s SCC database with House’s standard database. There is no suggestion in either House or Schmidt to provide another database, as with the present invention, separate from the SCC. Therefore, the combination of House and Schmidt does not obviate the present invention.

This is to be expected because the motivation to provide the same updated version of the database item in at least two places is created by the fact that a source code control system for database items must exercise version control over the items, while permitting the database to conduct normal database operations. This is evident in the present invention, which stores a version of the source code in SCC system 202 while maintaining the source code and its

executables in database 200. Such motivation, however, is not found in standard computer programs, and thus is not found in the teachings of Schmidt or House.

Also, Applicants respectfully assert that the combination of House and Schmidt is not, by itself, sufficient to establish a *prima facie* case of obviousness. *M.P.E.P.* § 2143.01. "The prior art must provide a motivation or reason for the worker in the art, *without the benefit of [applicant's] specification*, to make the necessary changes in the reference device." *M.P.E.P.* § 2144.04 (citing *Ex parte Chicago Rawhide Manufacturing Co.*, 223 U.S.P.Q. 351, 353 (Bd. Pat. App. & Inter. 1984) (emphasis added). In particular, "[a] critical step in analyzing the patentability of claims pursuant to section 103(a) is casting the mind back to the time of invention, to consider the thinking of one of ordinary skill in the art, guided only by the prior art references and the then-accepted wisdom in the field." *In re Kotzab*, 217 F.3d 1365, 1369 (Fed. Cir. 2000). To establish a *prima facie* case of obviousness, "there must be some teaching, suggestion or motivation in the prior art to make the specific combination that was made by the applicant." *In re Dance*, 160 F.3d 1339, 1343 (Fed. Cir. 1998). "In other words, the examiner must show reasons that the skilled artisan, confronted with the same problem as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed." *In re Rouffet*, 149 F.3d 1350, 1357 (Fed. Cir. 1998).

Here, Applicants respectfully assert that the neither Schmidt, House, nor those aspects well known to those skilled in the art would provide specific guidance that would lead one of ordinary skill in the art to the present invention. Therefore, the Office Action failed to establish a *prima facie* case of obviousness.

Accordingly, for the reasons cited above, Applicants respectfully request that the rejection of claims 1-18 under 35 USC §103 (a) be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact Applicants' attorney Vincent J. Roccia at (215-564-8946).

Respectfully submitted,

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Marked up version of the paragraph on page 3, lines 21-23 and on page 4, lines 1-8:

In this manner, at least some embodiments of the invention provide for advantages not found in the prior art. For example, the mechanism that provides for checking in and checking out of the stored procedures of the database provides for effective versioning of the stored procedures. The mechanism keeps track of users who wish to edit the stored procedures, and once they have been changed, the mechanism keeps track of the changes that have been made to the stored procedures. Thus, it can be determined when a bug or error has been introduced into a stored procedure [can be determined], and the database administrator is able to determine the history of changes made to a particular stored procedure.

In claims:

Claims 19-22 have been added.